



Louisville Metro Human Relations Commission

Annual Report 2010-2011



**THE MISSION
of the Louisville and Jefferson
County Human Relations
Commission is to promote unity,
understanding and equal
opportunity among all people of
Metro Louisville and to eliminate
all forms of bigotry, bias, and
hatred from the community.**

Human Relations Commission Board Members

ADVOCACY BOARD

Jennifer Adams-Tucker
Sheila Berman
John Mark Eberhardt
Ira Grupper
Miguel Mireles
Shameka Parrish-Wright
Claudia Peralta-Mudd
Dr. Prafula Sheth
Heather Williams
Dawn Wilson

ENFORCEMENT BOARD

Melissa Allen
Glenda Berry
Reginald Glass
Oneita Phillips
Hon. Joan Stringer
Dr. Thomas Sabetta
Ibrahim Syed





OFFICE OF THE MAYOR
LOUISVILLE, KENTUCKY

JERRY E. ABRAMSON
MAYOR

November, 2010

Dear Louisville Resident:

Our community has more energy, momentum and optimism for the future than at any other time I can remember. Much of that energy and possibility springs from our community's rapidly increasing diversity.

Over the past two decades, 50 percent of our community's growth has come from those who've joined us from nations throughout the globe.

Louisville isn't alone. Cities and states across the nation are experiencing an unprecedented wave of immigration. In fact, as former president Bill Clinton has noted – no other nation in history has gone through such sweeping demographic changes in so short a time.

As Clinton said, these changes "can either strengthen and unite us, or they can weaken and divide us. We must decide." I believe our community has made the choice to embrace this diversity, that it enriches our community, and makes us a stronger city, a better place to live.

Yet, it brings challenges as well, made more acute by the lingering national recession. It means we must work even harder to ensure that all in our community have access to basic human services, affordable housing and opportunities for quality jobs – regardless of race, nationality or other status.

We must also strive to make sure we have the right resources and mechanisms in place to protect all people from unlawful discrimination as well as strengthen human relations and eliminate discriminatory practices – in any form, in any area of our community.

The Louisville Metro Human Relations Commission works diligently toward the achievement of these goals and has served as a unifying force and a focal point for progress since its inception. The Commission's work in contract compliance, investigation and educational outreach offers a critical viewpoint and consistent measurement, which makes our community a better place for all people.

It has been an honor to be your mayor for 21 years. Together, we have changed the face of this community, met many challenges, and have succeeded. Please know that I will remain dedicated to helping our hometown and surrounding region thrive – and I look forward to working with you to meet the challenges of the future.

Sincerely,

Jerry E. Abramson
Mayor



HUMAN RELATIONS COMMISSION
LOUISVILLE, KENTUCKY

GREG FISCHER
MAYOR

CAROLYN MILLER-COOPER
EXECUTIVE DIRECTOR

February 2012

Dear Citizens of Louisville Metro:

It is with pleasure that I present the Louisville Metro Human Relations Commission 2011 Annual Report. We have continued to work diligently to make certain our mission is a reality in this community, and this report reflects the work accomplished by our staff and Commissioners, and the citizens of Louisville Metro.

We at the Commission look out across our community with great admiration of the varied and diverse community called "Louisville Metro." Our community's social and cultural diversity is part of the new wave of the future. In our daily work, we seek to enforce the laws that will allow all in our community to contribute equally to the benefit of Metro Louisville. Clearly, our city intends to remain committed to our anti-discrimination ordinances in order to ensure equality for all of us who work, live, and do business in Louisville.

Ms. Lilly Ledbetter, our Keynote Speaker at our 2011 Annual Race and Relations Conference, stated, "*That's why I get up every morning: because there is still work to be done.*" We at the Commission similarly daily focus on our primary mission: "to promote unity, understanding and equal opportunity among all people of Louisville."

Sincerely,


Carolyn Miller-Cooper
Executive Director

A STATEMENT OF VISION



LOUISVILLE: WHERE ALL ARE WELCOME

Louisville commits to being a city where everyone feels at home. That which we share in common and that which is unique will be equally valued. We will weave our diverse communities into a rich tapestry. The city can thrive only when all are included and when responsibilities – personal, political and business – are honored.

We are determined:

- T**hat all will have the opportunity to succeed,
- T**hat every voice raised within our city will be heard, and
- T**hat common decisions will be made with respect for all.

This vision of integrity and justice challenges each of us to forge relationships of acceptance and equality that shall become our legacy for future generations.

Our Staff:

Serving Our Community



EXECUTIVE DIRECTOR

Carolyn Miller-Cooper

INVESTIGATIVE UNIT

COMPLIANCE OFFICERS

Nicolas Valenzuela
Martha Lawfer
Jeremy Stasel [military leave]
Harold Rogers
Linda Holland [Part-time]
Richard Smith [C.O. Trainee]

COMPLIANCE

COMPLIANCE ANALYSTS

Tony Seay
Bobbi Selmon

COMPLIANCE SPECIALIST

Richard Everett [part-time]

CLERICAL

EXECUTIVE ASSISTANT

Diniah Calhoun

SECRETARY [HUD / EEOC]

Rotonia Sanford

INTAKE OFFICERS

Dawn Buffington
Sandra Bumphus

EDUCATION & OUTREACH

PUBLIC EDUCATION COORDINATOR

Pamela K. Horne

HOUSING ASSISTANTS

HUMAN RELATIONS CLERKS

Inna Elkin
Kouanvi Ohin

Ending Bigotry, Bias and Hatred

It is the policy of the Metro Government to safeguard all individuals within Jefferson County from discrimination because of **race, color, religion, national origin, familial status, age, disability, sex, gender identity, or sexual orientation**. Certain practices are prohibited within the areas of **employment, housing, public accommodation, resort or amusement**. **Metro Code of Ordinances §92.01**.

- Any person or persons claiming discrimination may file a written complaint with **HRC**. The complaint must be filed within 180 days after the alleged discrimination occurred.
- Any member of a Human Relations Commission Board who has reason to believe discrimination has occurred may file a complaint.
- For remedies provided under state and federal law, a person or persons claiming discrimination may file an action in Jefferson Circuit Court.

Metro Code of Ordinances §92.09(A).

No person shall discriminate against another person by intentionally interfering with another person or the property of another person with the motive to intimidate or interfere with or oppress the other person because the other person is a member of one or more classes or persons referenced in the federal Hate Crimes Statistics Act (**race, religion, disability, sexual orientation, gender identity, or ethnicity**) and/or, in addition, classes of persons identifiable by gender and/or disability or health related condition. **Metro Code of Ordinances §92.41**.

An individual believing to be a victim of a bias-related or hate crime may file with **HRC** a written complaint. The complaint must be filed within 180 days after the alleged bias-related or hate crime is alleged to have occurred. **Metro Code of Ordinances §92.42**.



Our Laws: Promoting Equal Opportunity

All persons, firms, corporations, or associations seeking contracts, leases or other agreements with Metro Government for more than \$10,000 must submit in writing a request to **HRC** for approval as a contractor or vendor prequalified to do business with Metro Government. **Metro Code of Ordinances §37.28(A).**

HRC will prequalify those persons, firms, corporations, and associations if:

- The entity is not deficient in the utilization of **minority groups**, **females**, or **handicapped persons** in proportion to population or, if a construction entity, it is utilizing **minority groups** and **females** in accordance with the United States Department of Labor currently published goals; or
- The entity has an acceptable, bona fide affirmative action plan; or
- The entity is a small business, which employs ten or fewer individuals, including seasonal or part time employees; or
- The entity has a current federally-approved affirmative action program.

Metro Code of Ordinances §37.27(A).

All contractors must put in practice their best good faith efforts to utilize subcontractors, **certified female owned**, **certified handicapped owned**, and **certified minority owned businesses** if the procurement situation requires or warrants the use of subcontractors. Good faith efforts by contractors shall be made to reach the goals established by § [37.67](#). **Metro Code of Ordinances §37.68(B).**

While the guidelines on the utilization of **certified female**, **certified handicapped**, and **certified minority owned businesses** as subcontractors are recommended goals, failure to meet such goals will not result in disqualification from participation. Contractors, however, are required to provide written explanations to the Executive Director of **HRC** and Metro Purchasing of efforts they have made to utilize as subcontractors **certified minority**, **female** and **handicapped owned businesses**.



Equal Employment Opportunity



Each developer of a **Taxpayer Subsidized Project** shall provide a sworn affidavit to the Executive Director of **HRC** certifying its good faith efforts to achieve the goals established by this section to utilize minorities, certified minority owned businesses, females, certified female owned businesses, and local residents. **Metro Code of Ordinances §37.75(C)(3).**

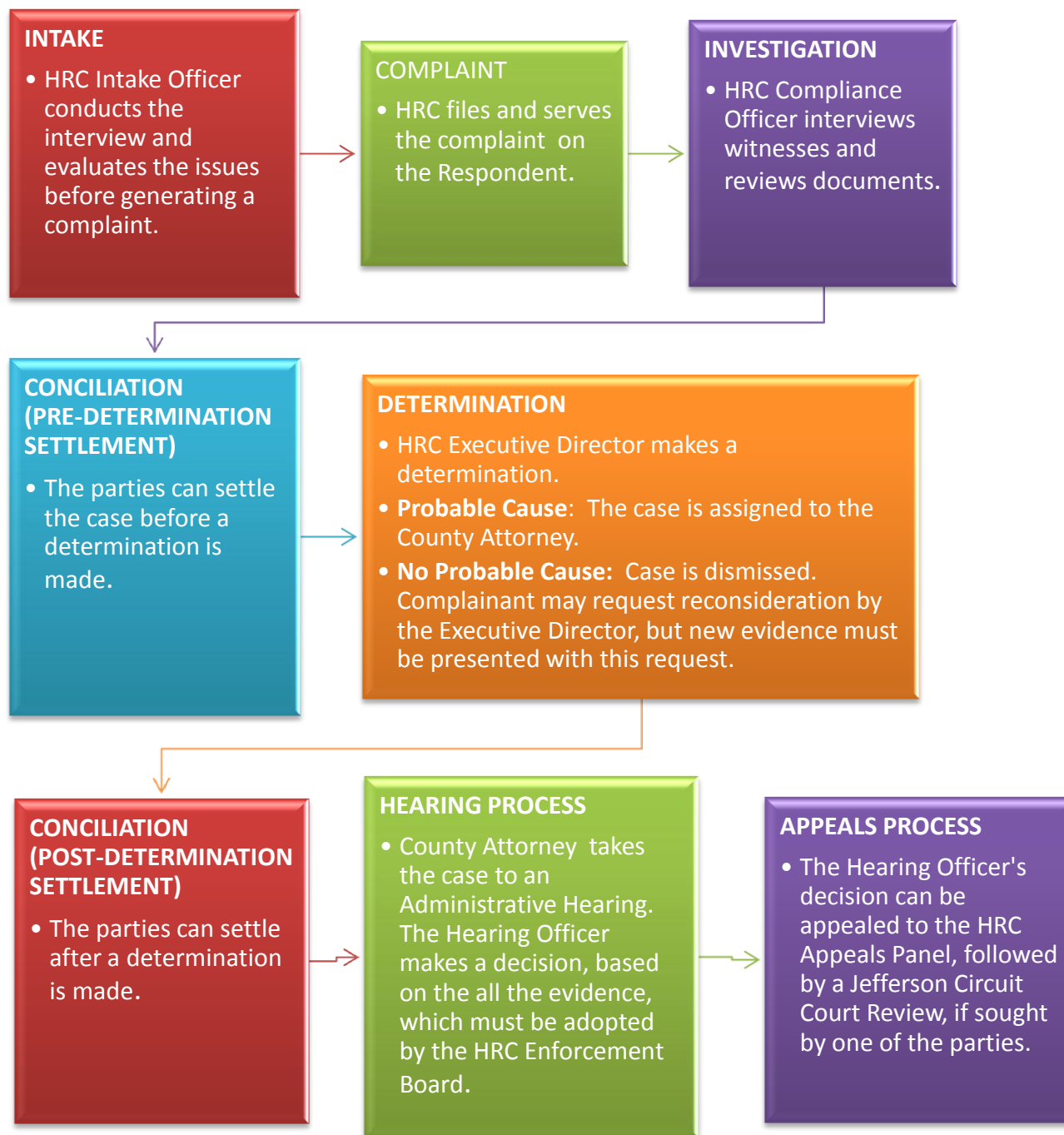
HRC either directly or through a contract with an organization or organizations shall assist contractors and subcontractors employed on a **Taxpayer Subsidized Project** with the recruitment of minority and female members of the workforce, assist in the training of those individuals recruited by **HRC** or its designee, and provide verification and concurrent monitoring of the level of participation of minorities and female members of the workforce and minority and female owned businesses on the respective projects. **Metro Code of Ordinances §37.75(C)(4).**

No person, firm, corporation, association or agency of Jefferson County that provides housing opportunities for citizens of Jefferson County with the direct or indirect assistance of Metro Government funds, shall be approved by the Metro Government or recommended for approval by any Metro Government entity without submission of an approved housing affirmative marketing plan. **Metro Code of Ordinances §92.19.**

Equal Housing Opportunity

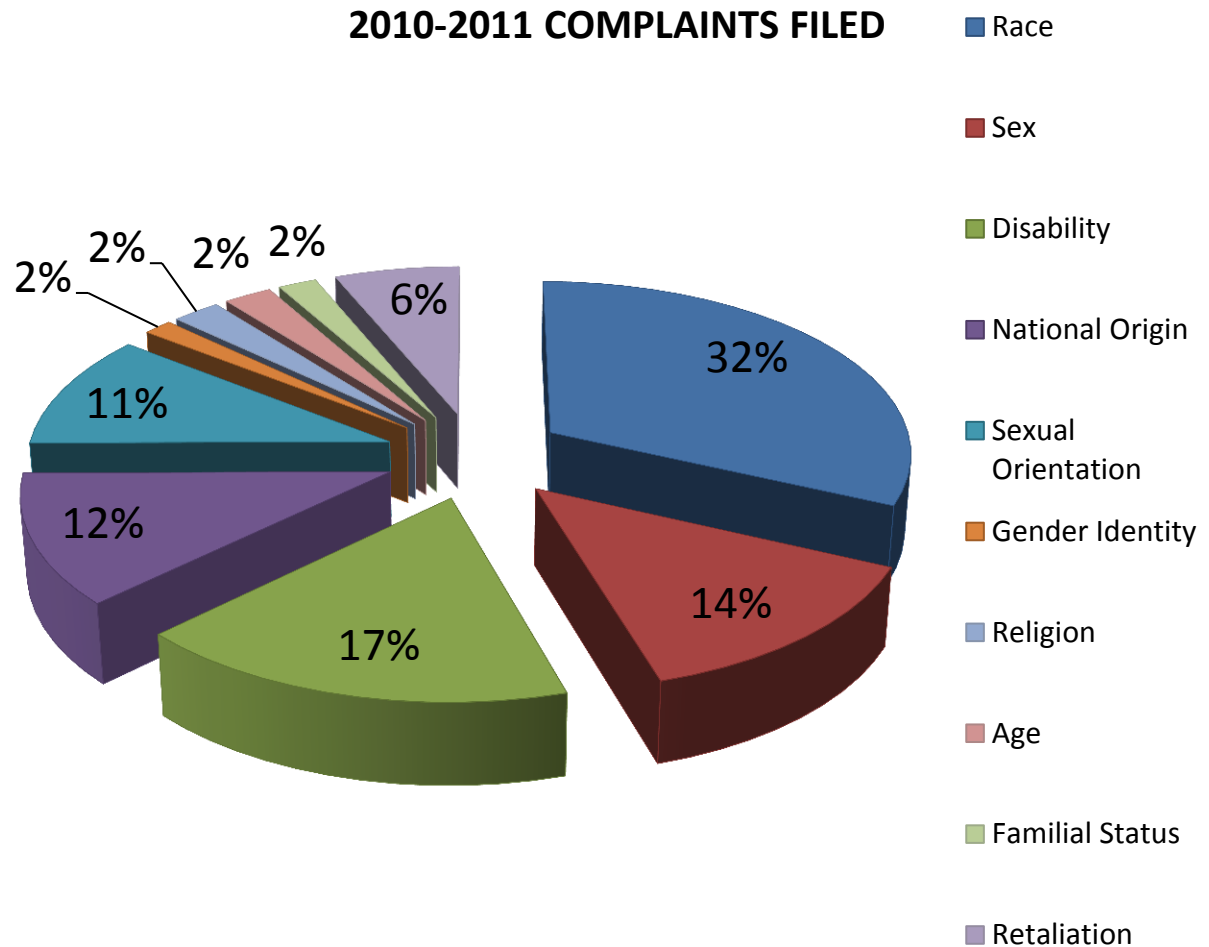


An approved housing affirmative marketing plan must be in writing and include an analysis of the eligible population by race which is likely to apply for the housing proposed because of neighborhood custom, price or past patterns of discrimination, development of a documentable outreach program to market the housing to the segment of the population by race least likely to apply and the establishment of goals and timetables to which the entity's good faith efforts will be directed to ensure appropriate representation by race. **Metro Code of Ordinances §92.20.**

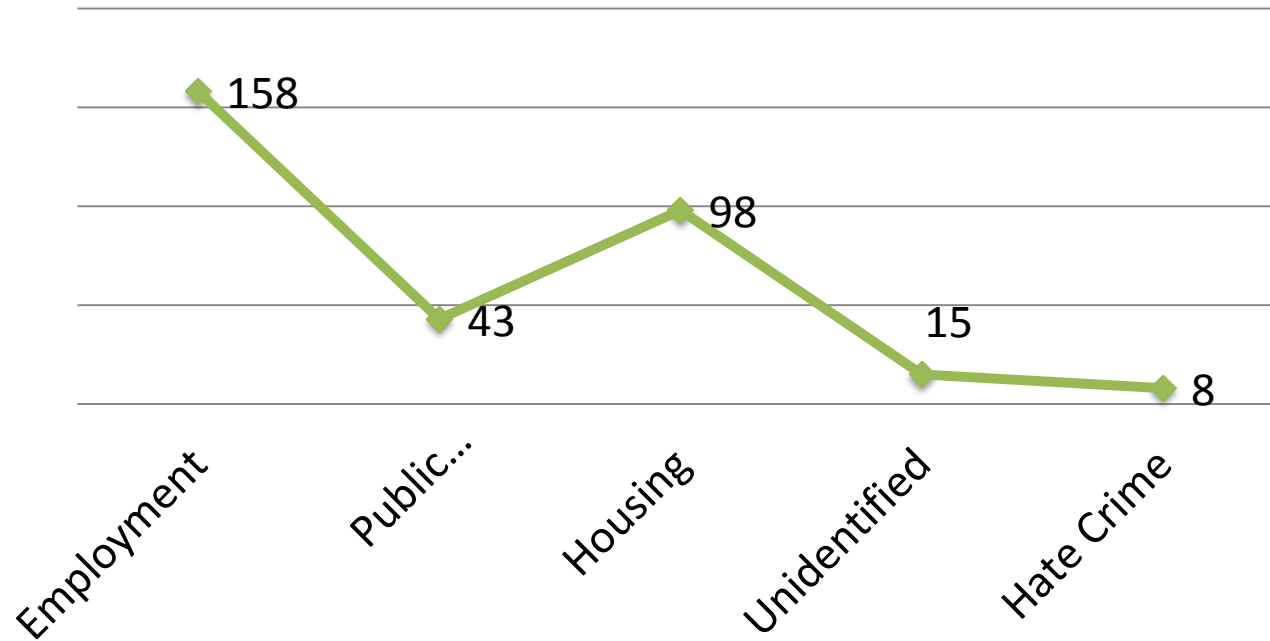


If you believe you have been discriminated against and would like to file a **complaint** with **HRC**, call or drop by the **HRC** office and talk to an **HRC** Intake Officer.

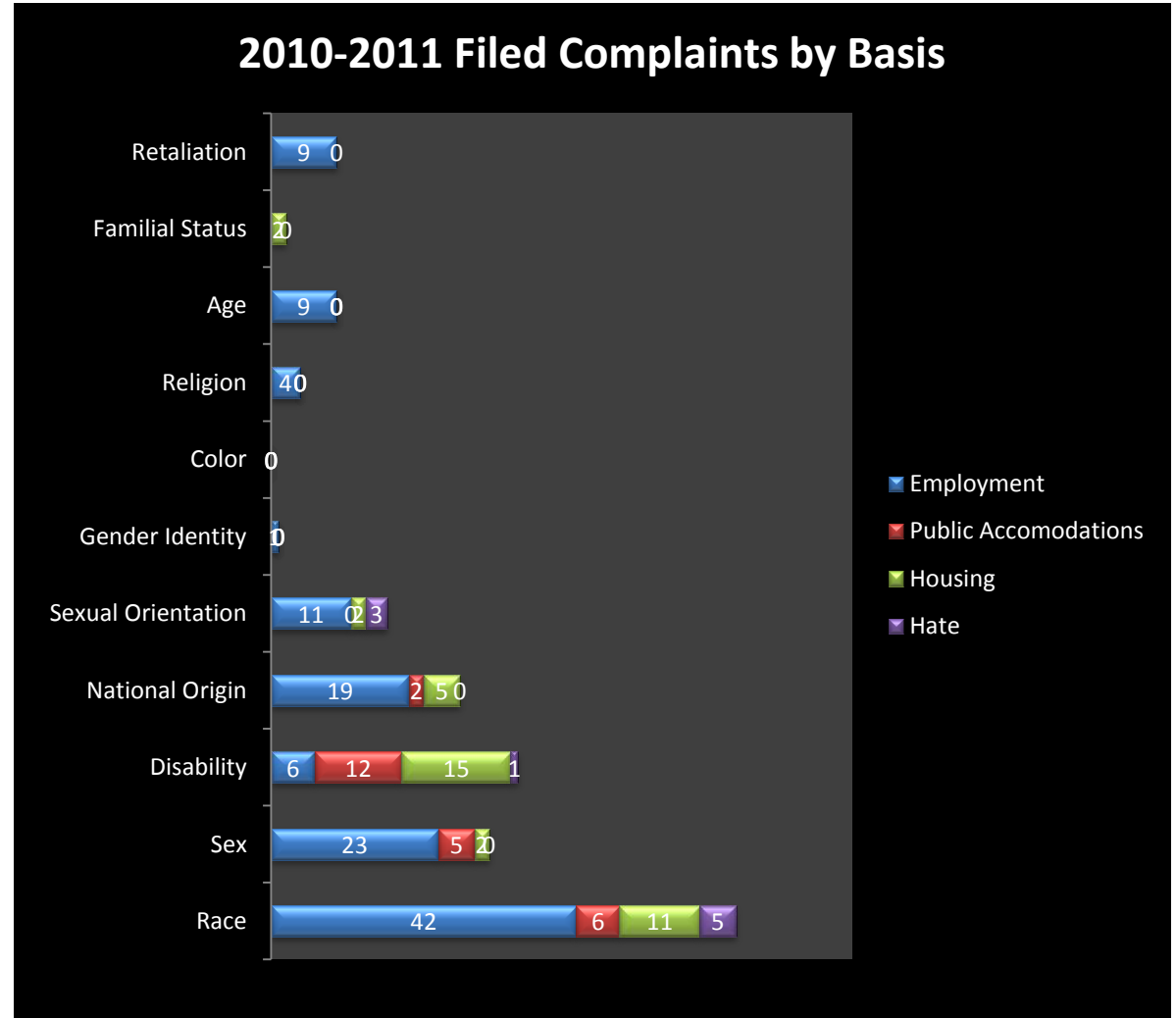
HRC obtains information regarding an individual's claim of discrimination (called an Intake) by interviewing the individual and evaluating the claim before an official complaint is filed. This information (which would include names, addresses, telephone numbers, as well as the basis and issues raised by the individual) and the resulting evaluation are recorded on an Intake Questionnaire.



INTAKES BY TYPE



Once enough information is provided to the HRC Intake Officer to enable the HRC to take a Complaint, HRC will prepare the Complaint and send a copy of the Complaint to the party accused of discrimination, along with a letter requesting that the accused party respond in writing to the Complaint. If the accused party and the Complainant are able to negotiate and agree to a settlement (which is facilitated by HRC), HRC will dismiss the Complaint. The HRC Compliance Officer assigned to investigate the Complaint will obtain all of the needed documents, conduct all the necessary interviews , and analyze all facts presented by both parties.



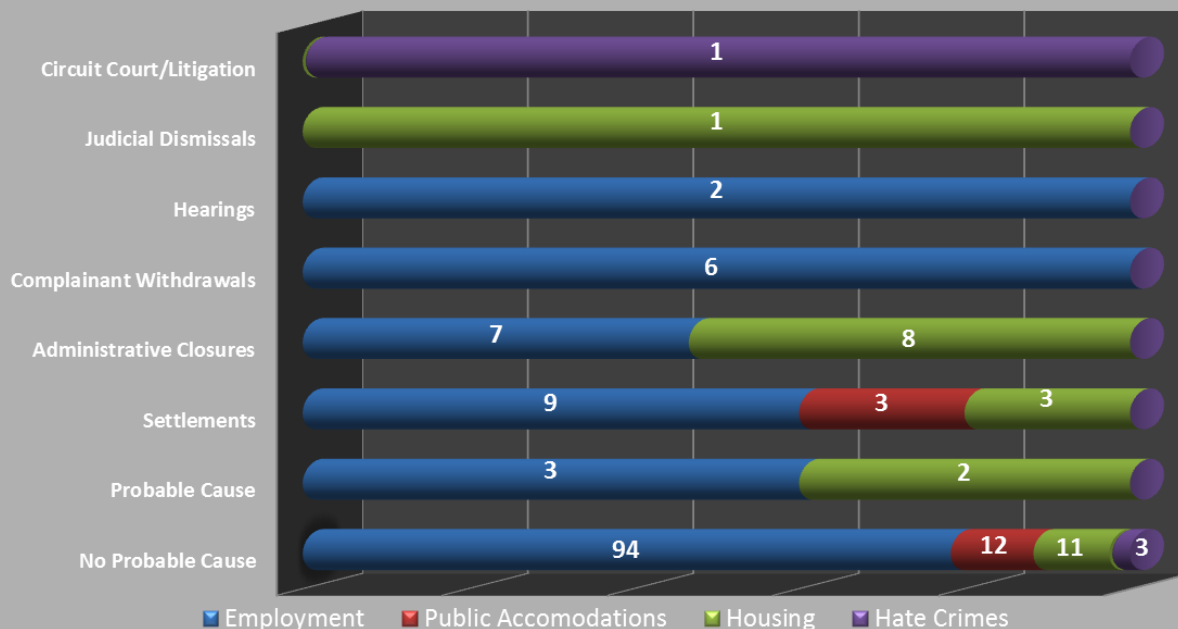
After the HRC Compliance Officer completes his or her investigation, HRC will determine whether the individual claiming discrimination was subjected to unlawful discrimination.

If HRC finds Probable Cause (a determination that it is more likely than not that discrimination did occur), the Complaint will move forward through an administrative law process. This process is an alternative to the court system. The attorney representing the HRC may attempt to settle the case with the accused party or take it to a hearing before a hearing officer. If, after all these steps, the finding of discrimination is upheld, the decision may be appealed in court.

If, alternatively, the HRC finds No Probable Cause (the determination that there isn't enough evidence of unlawful discrimination), HRC will dismiss the Complaint. After dismissal of his or her Complaint by HRC, an individual claiming discrimination may choose to hire an attorney and file the same claim in federal court.



DETERMINATIONS AND RESOLUTIONS



2010-2011

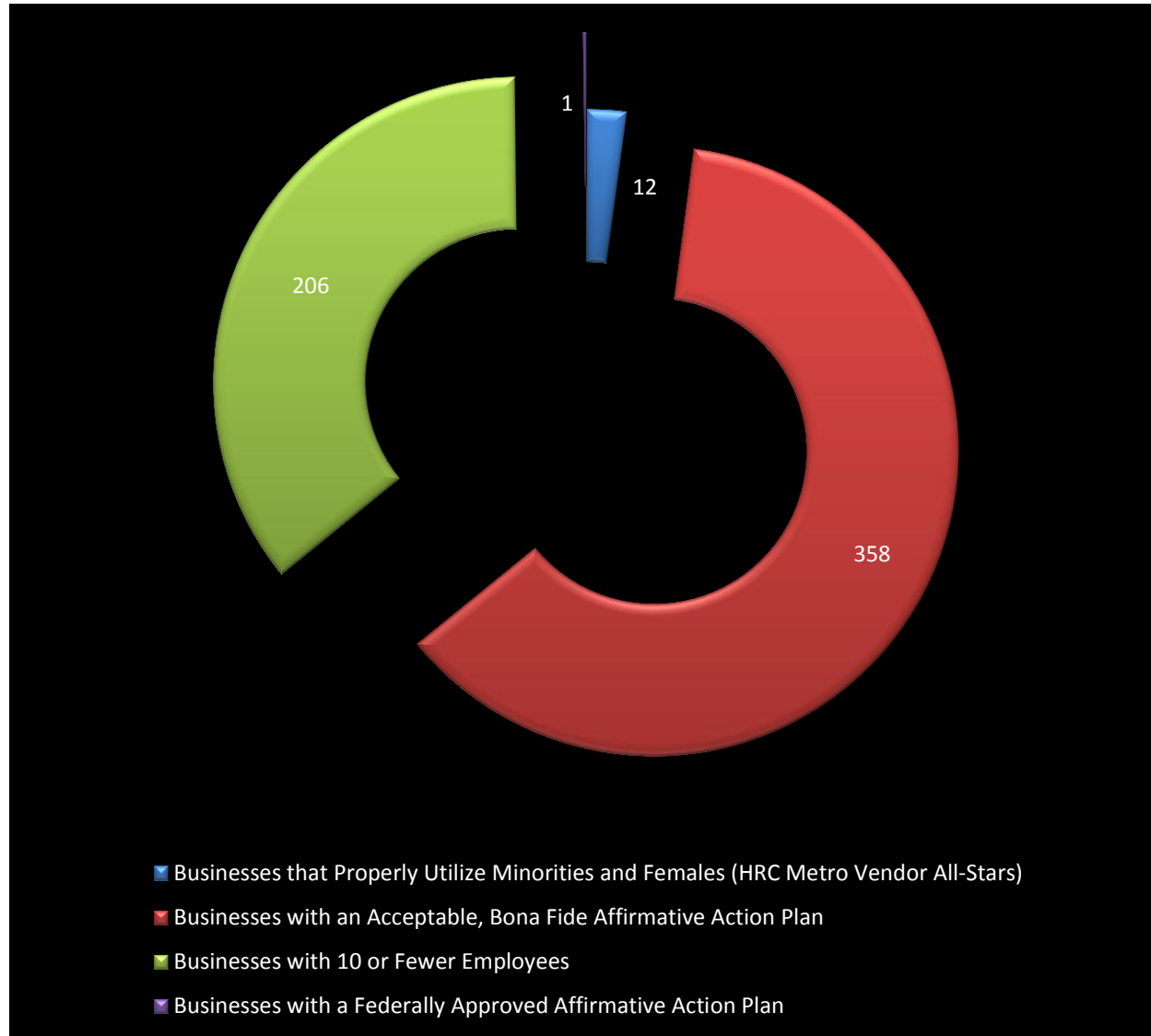
SETTLEMENTS

HOUSING	BASIS	ADVERSE ACTION	SETTLEMENT
<i>Britt v. Hass</i>	Sex	Terms and Conditions	\$10,000.00
<i>Woods v. CT Associates, Inc. et al.</i>	Handicap	Terms and Conditions	\$9,000.00
<i>Smith v. CT Associates, Inc. et al.</i>	Handicap	Terms and Conditions	\$9,000.00
<i>Grimaldo v. Ledgewood Apartments</i>	Race	Terms and Conditions	Withdrawal w/Resolution
<i>Kanter v. Urban Innovations</i>	Handicap	Terms and Conditions	Withdrawal w/Resolution
<i>Lexington Fair Housing Council, Inc. v. LEO Acquisition, LLC</i>	Familial Status	Terms and Conditions	\$1,900.00
EMPLOYMENT AND PUBLIC ACCOMMODATIONS	BASIS	ADVERSE ACTION	SETTLEMENT
<i>Linda Mack v. The Healing Place</i>	Gender Identity	Denial of Facilities	The right to use the women's restroom in the Respondents facilities
<i>Katherine Southerland v. Meyzeek Middle School</i>	Sexual Orientation	Termination	Girls' Basketball Coach 2010-2011 Season
<i>Greca Alexander v. Wendy's</i>	Retaliation	Reduced Work Hours	\$224.00 for 28 hours not worked
<i>Sheila Cox v. Reynolds Packaging, LLC</i>	Sex/Disability	Termination	\$10,000.00
<i>Elexius Henry v. McDonald's</i>	Sexual Orientation	Termination	\$2000.00
<i>Jackie Wilmer v. The Healing Place</i>	Gender Identity	Denial of Services	The right to use the women's Restroom in the Respondents facilities
<i>Kevin Bryan v. Paychex, Inc</i>	Sexual Orientation/sex	Terms and Conditions	\$23,000.00
<i>Jackie Wilmer v. West End Token Club</i>	Gender Identity	Denial of Privileges and Denial of Services	The right to use the women's restroom in the Respondents Facilities
<i>Rachel Goodman v. The Historic Homes Foundation, Inc.</i>	Disability	Failure to Hire	Respondent agrees to Prepare a written Statement to Employment interview panelists





Businesses seeking contracts over \$10,000.00 with Louisville Metro Government (“Metro Vendors”) must be prequalified by HRC. As part of the prequalification process, HRC compares the workforce of each Metro Vendor with the overall workforce of the Metro Vendor’s community.



2010-2011 REPORTED METRO VENDOR PAYMENTS TO CERTIFIED BUSINESSES

Bornstein Building Co., Inc.	<ul style="list-style-type: none"> • Metro Louisville Animal Services Adoption Center • Payments to Certified Businesses: \$21,470.33
Cargill, Inc.	<ul style="list-style-type: none"> • PC Bulk Snow Salt • Payments to Certified Businesses: \$119,685.00
Corbett Construction Co., Inc.	<ul style="list-style-type: none"> • Mary T Meagher Pool Improvement • Payments to Certified Businesses: \$26,730.22
EH Construction	<ul style="list-style-type: none"> • Charlie Vettiner Golf Course Club House • Payments to Certified Businesses: \$34,697.32
E-Z Construction Co., Inc.	<ul style="list-style-type: none"> • Fairdale Pool Spray Ground Project • Payments to Certified Businesses: \$17,684.09
Flynn Brothers Contracting, Inc.	<ul style="list-style-type: none"> • Louisville Metro Road Improvements • Payments to Certified Businesses: \$72,185.41
J-Town Contractors, Inc.	<ul style="list-style-type: none"> • Algonquin Park Improvements • Payments to Certified Businesses: \$54,644.89
Kevco Construction, LLC	<ul style="list-style-type: none"> • Construction New Fire Station #10 • Payments to Certified Businesses: \$966,212.83
Louisville Paving Co.	<ul style="list-style-type: none"> • Highview Park Tennis Court Renovation • Payments to Certified Businesses: \$32,817.65
Martin Construction Company	<ul style="list-style-type: none"> • Design Build Services Fleet Maintenance Facility • Payments to Certified Businesses: \$105,662.45
Renaissance Creative Group	<ul style="list-style-type: none"> • Advertising Mayor's Healthy Hometown Social Marketing Campaign • Payments to Certified Businesses: \$11,768.13
T&C Contracting, Inc.	<ul style="list-style-type: none"> • Louisville Metro Sidewalk & Curb Improvement • Payments to Certified Businesses: \$503,725.92
Tecta America Zero Company	<ul style="list-style-type: none"> • Design Build Services Green Roof • Payments to Certified Businesses: \$27,990.00
Tennis Technology, Inc.	<ul style="list-style-type: none"> • Central park Tennis Court Renovation • Payments to Certified Businesses: \$122,917.86
United Construction & Design Group LLC	<ul style="list-style-type: none"> • 3rd Street Sidewalk and Curb • Payments to Certified Businesses: \$17,943.69

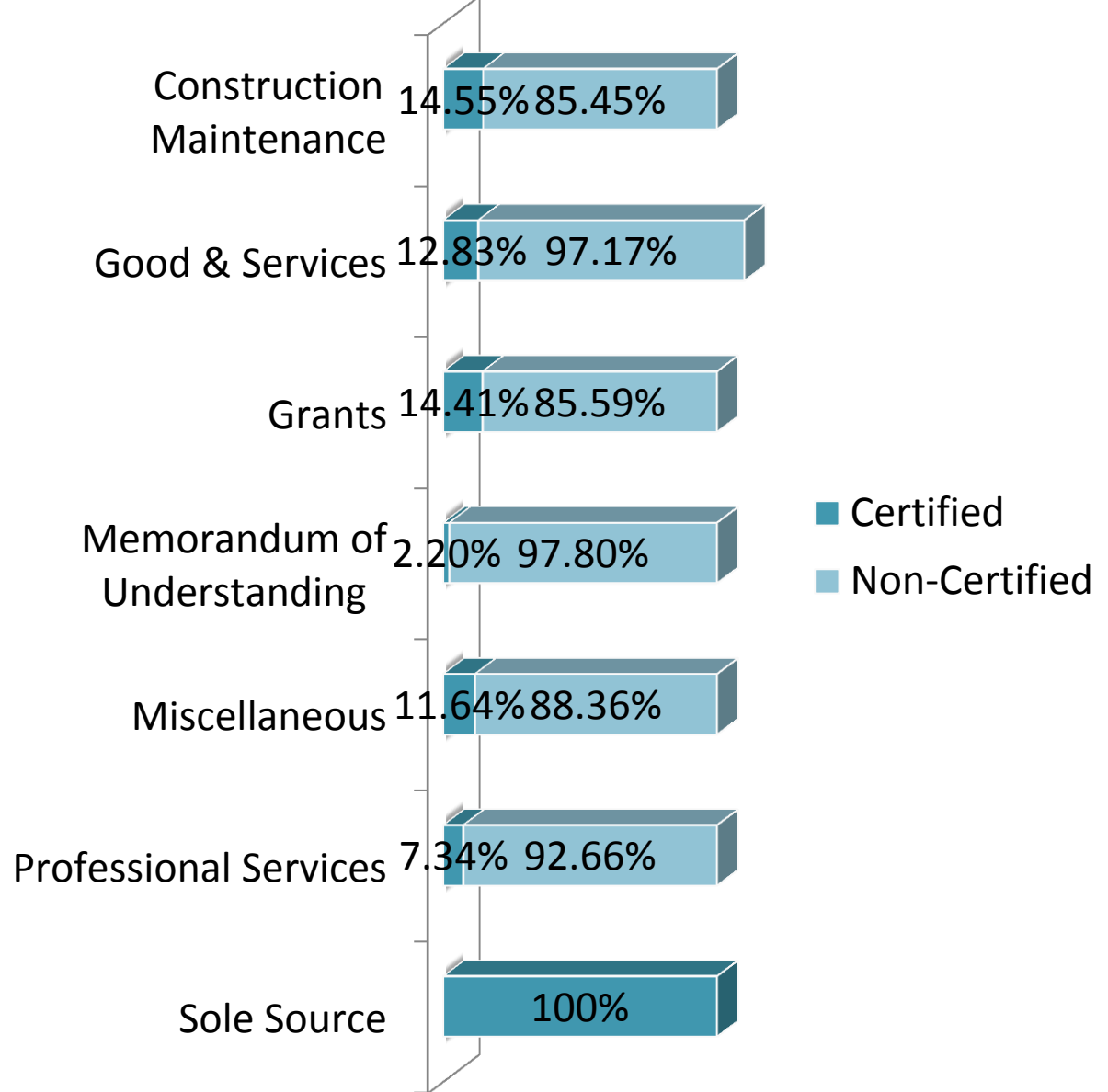
As part of Louisville Metro Government's procurement of goods and services through the competitive bid process, bidders are required to demonstrate to HRC good faith efforts made to utilize Certified Businesses. Once awarded a contract, the Metro Vendor reports payments made to Certified Businesses to HRC on a monthly basis.



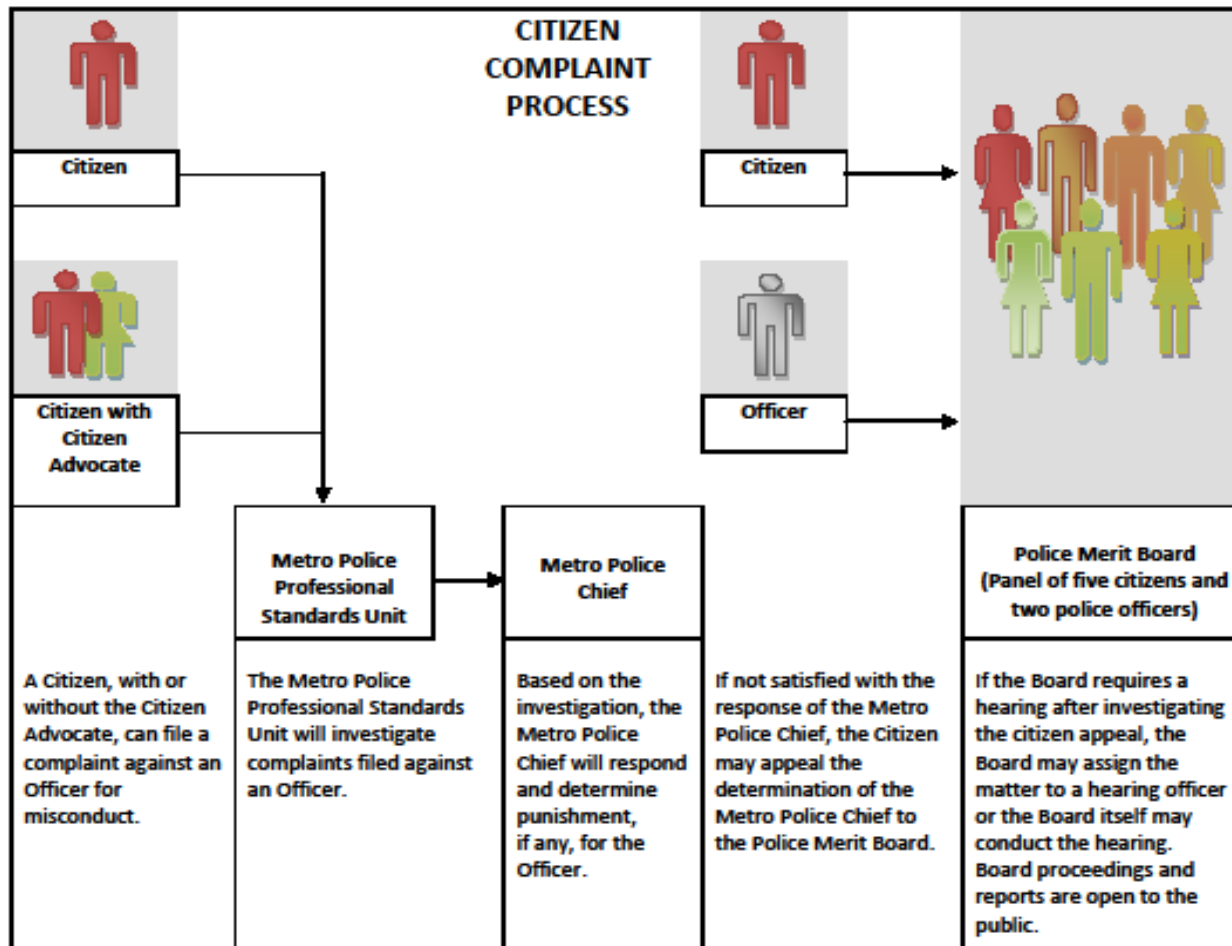
Metro Government, by and through its agencies and individual departments, has adopted goals for the utilization of certified minority, certified female, and certified handicapped owned businesses. These goals are reviewed annually by the Mayor and the Metro Council.



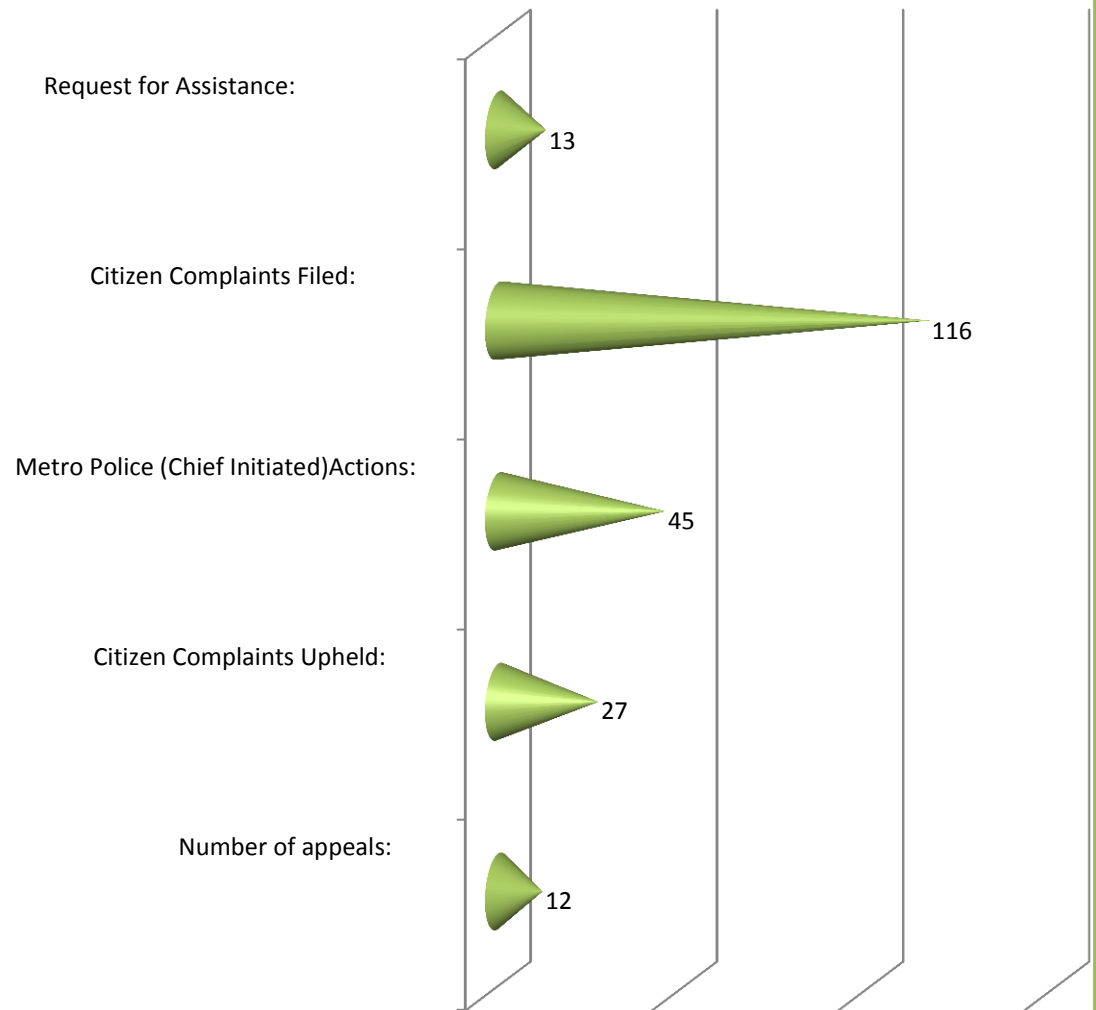
2010-2011 Metro Contracts Awarded



The Citizen Advocate will assist any citizen who believes that he or she has been mistreated by a police officer and who may be intimidated by the idea of going to the police department to file a complaint. The Citizen Advocate will support the complainant through the process of filing a complaint against a police officer and will monitor the progress of each complaint.



2010-2011 Complaint Activity



July 2010		9	TSMSSDC Agavé Awards	14	Disability Housing Issue Forum
26	Metro Disability Meeting	14	Fair Housing Coalition Meeting	20	Joint Utilities Reception
September 2010		January 2011		21	KCHR Fair Housing Forum
16	Salsa in the Infield	11	Fair Housing Coalition Meeting	25	Metro Disability Coalition Meeting
25	Fairness Summit	14	Dr. Martin Luther King, Jr. Annual Celebration Shabbat Tzedek	26	Fair Housing Landlord Training
27	Metro Disability Meeting	16	Keepers of the Dream	May 2011	
October 2010		17	Dr. Martin Luther King, Jr. Motorcade	20	Rev. Louis Coleman Motorcade
6	Racial Healing Project	18	Race and Relations Conference		
13 – 15	KCHR 50 th Conference	24	Metro Disability Coalition Meeting	23	Metro Disability Coalition Meeting
18	Community Conversation	February 2011		June 2011	
22	County Alliance of Business	9	Fair Housing Coalition Meeting	4	Americana World Fest
26	Health Equity	28	Metro Disability Coalition Meeting	14	Dosker Manor Resident Corp. Meeting
28	ACLU Dinner	March 2011			
30	NAACP Freedom Fund	1	St. Francis High School Presentation		
November 2010		8	Fair Housing Coalition Meeting		
18	TransAwareness Health Discussion	10 – 12	Black Family Conference		
December 2010		28	Metro Disability Coalition Meeting		
1	Kentucky Native American Civil Rights	April 2011			
6	Kentucky Council on Development Issues	10	Health Equity Dialogue		
6	Racial Healing Project	12	La Caliente Radio		

